

# Chapter 308-70 WAC

## SCRAP METAL BUSINESS—RECYCLER—PROCESSOR—SUPPLIER

### WAC

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**WAC 308-70-110 Definitions.** (1) Employee means an employee of a scrap metal business who is a person who appears on the payroll records of the business as an employee and for whom Social Security, withholding tax, and all deductions required by law have been made.

(2) Agent, other than an authorized agent of the department of licensing, means a person who presents written authorization from the business bearing the business's official title (i.e., logo, letterhead, etc.).

(3) Department means the department of licensing of the state of Washington.

(4) Director means the director of the department of licensing of the state of Washington.

(5) Normal business hours - Processors and recyclers only. For purposes of inspection of a licensee's licensed premises and records, business hours must be 8:00 a.m. to 5:00 p.m., except for weekends and holidays, unless otherwise posted. Business hours must be posted at the licensee's place of business. This business hour requirement does not apply to suppliers.

(6) Scrap metal - As used in this chapter, scrap metal means any used metal, as defined in chapter 19.290 RCW, that is no longer useful as it was intended to be used in its original manufactured form, or that is commonly aggregated for sale based on its intrinsic value to be converted into another form and diverted from the waste stream for recycling purposes.

(7) Common carrier means any person who undertakes to transport property for the general public by motor vehicle for compensation as outlined in chapter 81.80 RCW. For the purposes of this chapter, common carriers licensed under the provisions of chapter 81.80 RCW are exempt from the scrap metal licensing requirements when transporting scrap metal for hire.

[Statutory Authority: Chapter 19.290 RCW and RCW 43.24.086. WSR 13-24-014, § 308-70-110, filed 11/21/13, effective 1/1/14.]

**WAC 308-70-120 Scrap metal business—Application for license.** The application for a scrap metal business's

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license shall contain, in addition to any other information the department may require, evidence the application is approved by the local government planning and zoning authorities pursuant to the provisions of the State Environmental Policy Act, chapter 43.21C RCW.

[Statutory Authority: Chapter 19.290 RCW and RCW 43.24.086. WSR 13-24-014, § 308-70-120, filed 11/21/13, effective 1/1/14.]

**WAC 308-70-130 Fees.** The following fees shall be charged by the department of licensing:

Processor and Recycler Application, Initial	\$1,250.00
Processor and Recycler Application, Renewal	\$625.00
Supplier Application, Initial	\$350.00
Supplier Application, Renewal	\$175.00

[Statutory Authority: Chapter 19.290 RCW and RCW 43.24.086. WSR 13-24-014, § 308-70-130, filed 11/21/13, effective 1/1/14.]

**WAC 308-70-140 Established place of business.** (1) Scrap metal processor.

(a) A scrap metal processor's established place of business is a place where:

- (i) Scrap metal property may be stored lawfully; and
- (ii) Hydraulic balers, shears, or shredders for recycling scrap metal property may be used lawfully.

(b) There must be a building in which:

- (i) The scrap metal processor's license is conspicuously displayed;
- (ii) An owner or employee is available during normal business hours; and

(iii) The business books and records, as defined in chapter 19.290 RCW, are kept and made available for inspection during normal business hours.

(c) There must be an exterior sign with the business name that is clearly visible to the major avenue of traffic during business hours.

(d) The business's operating hours must be clearly posted.

(2) Scrap metal recycler.

(a) A scrap metal recycler's established place of business is a place where scrap metal property may be stored lawfully.

(b) There must be a building in which:

- (i) The scrap metal recycler's license is conspicuously displayed;

(ii) An owner or employee of the business is available during normal business hours; and

(iii) The business books and records are kept and made available for inspection during normal business hours.

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(c) There must be an exterior sign with the business name that is clearly visible to the major avenue of traffic during business hours.

(d) The business's operating hours must be clearly posted.

(3) Scrap metal supplier. A scrap metal supplier's established place of business is:

(a) An address at which the scrap metal supplier receives mail and can normally be reached; and

(b) Where the business books and records, as defined in chapter 19.290 RCW, are kept and made available for inspection.

(4) The director may waive any requirements pertaining to a scrap metal business's established place of business if such waiver both serves the purposes of this chapter and is necessary due to unique circumstances.

[Statutory Authority: Chapter 19.290 RCW and RCW 43.24.086. WSR 13-24-014, § 380-70-140 (codified as WAC 308-70-140), filed 11/21/13, effective 1/1/14.]

**WAC 308-70-150 Record of transactions.** Any records originally created and retained electronically must be made available in hard copy upon the request of any designated authority named in chapter 19.290 RCW.

[Statutory Authority: Chapter 19.290 RCW and RCW 43.24.086. WSR 13-24-014, § 308-70-150, filed 11/21/13, effective 1/1/14.]

**WAC 308-70-160 Scrap metal business license plates.**

(1) Each plate set must be renewed annually. The cost for each plate set is five dollars.

(2) The scrap metal business plates may be split, with one being displayed on the front of the towing vehicle and the other on the rear of the vehicle being towed.

[Statutory Authority: Chapter 19.290 RCW and RCW 43.24.086. WSR 13-24-014, § 308-70-160, filed 11/21/13, effective 1/1/14.]

**WAC 308-70-170 Expiration of scrap metal business license.** (1) The scrap metal business license expiration is established by the business licensing service upon department approval of the license. Proration of fees may be necessary to align the scrap metal business license expiration with other licenses held by the business. The license will expire annually after any initial proration process.

(2) Any special license plates issued to a scrap metal business shall expire on the same date as the expiration of the scrap metal business license.

[Statutory Authority: Chapter 19.290 RCW and RCW 43.24.086. WSR 13-24-014, § 308-70-170, filed 11/21/13, effective 1/1/14.]

**WAC 308-70-180 Change of address.** A licensee must notify the department within ten days of any change of address of any business location or of the addition of a new location.

[Statutory Authority: Chapter 19.290 RCW and RCW 43.24.086. WSR 13-24-014, § 308-70-180, filed 11/21/13, effective 1/1/14.]

**WAC 308-70-190 Statement of change in business structure, ownership interest, or control.** A licensee must, within ten days of any change in its business ownership or structure, file with the department a statement that specifi-

cally describes the change that has occurred in its business structure or in its ownership interest.

[Statutory Authority: Chapter 19.290 RCW and RCW 43.24.086. WSR 13-24-014, § 308-70-190, filed 11/21/13, effective 1/1/14.]

**WAC 308-70-200 Change in business structure while licensed.** Upon a change of business structure of a licensed scrap metal business, the licensee must apply for a new license and pay original licensing fees under the new entity. Examples of a change of business structure include, but are not limited to, changing from a sole proprietorship to a corporation, a corporation to a limited liability company, or if a partner or partners in a partnership change. The firm may request to keep the previous license number.

[Statutory Authority: Chapter 19.290 RCW and RCW 43.24.086. WSR 13-24-014, § 308-70-200, filed 11/21/13, effective 1/1/14.]

**WAC 308-70-210 Sale, transfer or other disposition of a sole proprietorship license.** Upon the sale, transfer or other disposition of a sole proprietorship licensee's scrap metal business:

(1) The purchaser or transferee must file a new application for a license; the fees are the same as for an original application.

(2) The former owner must surrender to the department all special license plates. The new owner or transferee must purchase new plates in the new licensee's name.

[Statutory Authority: Chapter 19.290 RCW and RCW 43.24.086. WSR 13-24-014, § 308-70-210, filed 11/21/13, effective 1/1/14.]

**WAC 308-70-220 Closure of business.** Within ten business days of the closure of a scrap metal business, the business must return the license and the special license plates to the department for cancellation.

[Statutory Authority: Chapter 19.290 RCW and RCW 43.24.086. WSR 13-24-014, § 308-70-220, filed 11/21/13, effective 1/1/14.]